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2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 SYDNEY T. VAN ASSCHE,

Case No. 2:18-cv-02135-JAD-NJK

6 Plaintiff

ORDER

7 v.

8 STATE OF NEVADA,

9 Defendant
10

11 **I. DISCUSSION**

12 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections
13 (“NDOC”), has filed an application to proceed *in forma pauperis* and has submitted a motion to
14 compel. Docket Nos. 1, 1-1. Plaintiff has not submitted a complaint in this matter.

15 Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a
16 complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff until December
17 10, 2018, to submit a complaint to this Court. The Court will defer a decision on the application
18 to proceed *in forma pauperis* until Plaintiff submits a proper initiating document for this case.

19 **II. CONCLUSION**

20 For the foregoing reasons, IT IS ORDERED that a decision on the application to proceed
21 *in forma pauperis*, Docket No. 1, is deferred.

22 IT IS FURTHER ORDERED that Plaintiff shall submit a complaint to this Court, no later
23 than December 10, 2018.

24 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the approved
25 form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of the Court
26 shall also send Plaintiff a copy of his motion to compel. Docket No. 1-1.

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1 IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order,
2 dismissal of this action may result.

3 DATED THIS 8th day of November, 2018.

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7 NANCY J. KOPPE
8 UNITED STATES MAGISTRATE JUDGE
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